IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 831 OF 2006

Hindusthan Lever Ltd. ..Applicant
V/s
The State of Maharashtra & Anr...Respondents.

Mr. Anoop Sharma, Advocate for the applicant.
Mrs. M.H. Mhatre, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 11TH APRIL, 2007.

P.C.

. Heard Mr. Sharma, learned Counsel for the applicant. Notice is served to respondent No.2 and one Mr. S.K. Jain, advocate had filed his Vakalatnama. But none is present for the respondent No.2 today. By this application, the applicant seeks condonation of delay of 270 days in filing the appeal against the acquittal along with the application for seeking special leave to prefer an appeal. It is contended that on 15/12/2005 the advocate of the applicant was present and the matter was adjourned awaiting report of the service of summons and to his understanding the matter was adjourned to 10/2/2006 but on 10/2/2006 the matter did not come on board and after inquiry he came to know that

the matter was dismissed in default on 16th December,2005. After that he made an application for certified copy on 8/3/2006 and copy was supplied on 23/3/2006. That copy was misplaced and thereafter again he made an application for certified copy on 10/11/2006 and after getting certified copy he filed the appeal with the application for leave, as well as for condonation of delay.

3. In view of the uncontroverted statement of facts, I find that there are sufficient reasons to condone the delay.

4. The application is allowed. The delay is condoned.

(J.H. BHATIA, J.)